

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: PACKES, JR. et al.

) Examiner: Not Yet Assigned

Serial No.: Not Yet Assigned

) Group Art Unit: Not Yet Assigned

Filing Date: November 14, 2001

) Attorney Docket No: 01-040

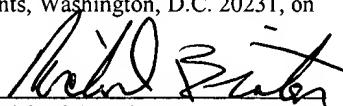
For: DEVICE AND METHOD FOR
PROVIDING PAYOUTS BASED ON
ACTIVITY AND RANKS OF OTHER
GAMING SESSIONS

) Customer No.: 22927

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope with sufficient postage and addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231, on November 14, 2001.

Dated: 11/14/01 By: 

Michael D. Brinton

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. [] Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. [] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
_____.
3. [] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [X] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
 - a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

[] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

[] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

[] The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. [] I hereby certify:

[] that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

[] that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. [] Please accept payment of the fees due as indicated below:

[] A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

[] The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose

[] A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

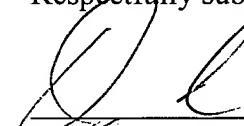
[] The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

11. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

November 14, 2001
Date

Respectfully submitted,



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INFORMATION DISCLOSURE CITATION	Docket Number 01-040	Serial Number Not Yet Assigned
	Applicants PACKES, JR. et al.	
	Filing Date November 14, 2001	Group Art Unit Not Yet Assigned
	#4 U.S. PTO 09/25/01 09/25/01	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A	5,078,405	01/07/92	Jones et al.	273	309	
	B	5,116,055	05/26/92	Tracy	273	138 A	
	C	5,129,652	07/14/92	Wilkinson	273	139	
	D	5,280,909	01/25/94	Tracy	273	138 A	
	E	5,518,253	05/21/96	Pocock et al.	273	439	
	F	5,537,314	07/16/96	Kanter	364	406	
	G	5,564,700	10/15/96	Celona	463	27	
	H	5,580,309	12/03/96	Piechowiak et al.	463	16	
	I	5,613,912	03/25/97	Slater	463	25	
	J	5,639,088	06/17/97	Schneider et al.	273	138.2	
	K	5,683,082	11/04/97	Takemoto et al.	273	121 B	
	L	5,758,875	06/02/98	Giacalone, Jr.	273	143 R	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

M	"Acres Gaming To Install Bonusing At Treasure Island Resort...", PR NewsWire, August 1, 1995, Financial News Section.
N	"Acres Gaming Announces Licensing of its Proprietary Bonusing Protocol", Acres Gaming, May 18, 1998, (http://www.acresgaming.com/news/05-18-98.html).

EXAMINER _____ **DATE CONSIDERED:** _____

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION	Docket Number 01-040	Serial Number Not Yet Assigned
	Applicants PACKES, JR. et al.	
	Filing Date November 14, 2001	Group Art Unit Not Yet Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	O	5,795,225	08/18/98	Jones et al.	463	13	
	P	5,816,918	10/06/98	Kelly et al.	463	16	
	Q	5,800,264	09/01/98	Pascal et al.	463	16	
	R	5,820,459	10/13/98	Acres et al.	463	25	
	S	5,836,817	11/17/98	Acres et al.	463	26	
	T	5,876,284	03/02/99	Acres et al.	463	25	
	U	5,910,048	06/08/99	Feinberg	463	25	
	V	6,077,162	06/20/00	Weiss	463	26	
	W	6,077,163	06/20/00	Walker et al.	463	26	
	X	6,142,872	11/07/00	Walker et al.	463	16	
	Y	6,146,273	11/14/00	Olsen	463	27	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

Z	Mayes, Steve, "One-Armed Bandits Sire New Breeds", Oregonian, May 31, 1998, pg. C.01.		
AA	"Acres Gaming Releases Its First Bonus Game", Acres Gaming Inc., June 30, 1998, (http://www.acresgaming.com/news/06-30-98.html).		

EXAMINER	DATE CONSIDERED:
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